

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA - CIVIL DIVISION**

DALE FOSTER, )  
                    )  
Plaintiff,       )  
                    )  
v.                 )       C. A. No. 03-328E  
                    )  
MICHAEL HAJDUK, et al. )  
                    )  
Defendants.       )

**Discovery Dispute Certificate**

Pursuant to Local Rule 37.1, Counsel for the Defendants Hajduk and Kerna has made a reasonable effort to reach an agreement with opposing counsel for the Plaintiff to settle the dispute over the outstanding discovery. Counsel for Plaintiff has advised that he will make his client available for examination in South Carolina. Attached hereto is correspondence of June 8, 2005 from Counsel for Defendants and June 22, 2005 from Counsel for Plaintiff, as Exhibit 1 and Exhibit 2, respectively. Counsel have not been able to reach an agreement relative to the discovery dispute.

Respectfully submitted,

WALSH COLLIS & BLACKMER, LLC

By \_\_\_\_\_

Paul J. Walsh III, Esquire  
PA I.D. #58843  
Marna K. Blackmer, Esquire  
PA I.D. #79528  
Counsel for Defendants, Michael  
Hajduk and P. David Kerna  
Walsh Collis & Blackmer  
707 Grant Street  
Gulf Tower, Suite 1400  
Pittsburgh, PA 15219